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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,004	10/19/2001	Yuri Itkis	FORTUNE 01-05.PA	4886

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EXAMINER
MENDOZA, ROBERT J

ART UNIT	PAPER NUMBER
3713	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 July 2004</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-67</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-67</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-67 are rejected under 35 U.S.C. 102(b) as being anticipated by Floretti

(USPN 5,351,970).

Regarding claims 1-5, 7, 9, 30-33, 35, 37 and 54-67, Floretti, in FIGS. 1-4, col. 6:1-67,

col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a system for playing

a sequence of games bingo in a first session including a microprocessor, said microprocessor

storing a plurality of bingo card patterns, automatically generating random numbers and

generating statements having informational data thereon and corresponding to one or more of

said bingo card patterns and a printer in communication with said microprocessor for printing

said generated statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67,

col. 10:1-67 and col. 11:1-67, discloses a bingo ball hopper in communication wit the

microprocessor such that the bingo ball hopper communicates with the microprocessor, and said

microprocessor determining whether one or more of the bingo card patterns are winning cards by

comparing the stored bingo patters with each of the numbers generated and storing a status of

each card as the numbers are generated, the bingo ball hopper being disabled upon determination

of one or more winning cards and notifying the winning participants. Floretti, in FIGS. 1-4, col.

6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses means to

notify the participants of the status of their statements is a monitor, viewable by the participants, in communication with the microprocessor. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the microprocessor comprises a computer network having one or more point of sale terminals. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the monitor displays a statement identification code corresponding to the best bingo card. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the data processing means further automatically re-enabling the generating of random numbers to initiate a new bingo session.

Regarding claims 15-25, 27-29 and 39-53, Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses determining of one or more winning bingo cards, the microprocessor further determined a prize associated therewith. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a session of bingo games, the session comprising at least two bingo games in sequence, upon the occurrence of one or more predetermined events, the occurrence enabling the bingo ball hopper wherein the predestined event is a completion of a previous bingo game, start of a new game and a predetermined number of sales of bingo cards for a new game. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the microprocessor validates the statements upon presentation by comparing an identification code, verification code, player tracking number, player name and a barcode corresponding to the statements with the information printed on the statements. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses a

cashier terminal in communication with the microprocessor, the cashier terminal including a

monitor for displaying an outcome corresponding to the printed statements. Floretti, in FIGS. 1-

4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67 and col. 11:1-67, discloses the

microprocessor scans the identification and verification codes printed on the statements to

retrieve the results of the bingo cards corresponding to the statements. Floretti, in FIGS. 1-4, col.

6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-

67, discloses an operator may override the microprocessor and manually enter the identification

and verification codes.

Regarding claims 6, 8, 10-14, 26, 34, 36 and 38, Floretti, in FIGS. 1-4, col. 6:1-67, col.

7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67,

discloses a monitor the displays a statement identification code corresponding to the best bingo

card, and monitor displays the numbers needed to be generated for a best bingo card to achieve

bingo. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col.

11:1-67, col. 12:1-67 and col. 13:1-67, discloses wherein said one or more point of sale terminals

includes a magnetic card reader, smart card reader, a barcode reader, a bill acceptor, a printer, a

bill dispenser and a keyboard. Floretti, in FIGS. 1-4, col. 6:1-67, col. 7:1-67, col. 8:1-67, col.

9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67, discloses wherein said point of

sale terminals include a data processing means that generates and prints one or more statements

each including an identification and verification number. Floretti, in FIGS. 1-4, col. 6:1-67, col.

7:1-67, col. 8:1-67, col. 9:1-67, col. 10:1-67, col. 11:1-67, col. 12:1-67 and col. 13:1-67,

discloses and said data processing means displaying on a monitor an outcome corresponding to

said statement upon first inputting said identification number, said data processing means

validating said statement upon second inputting if the verification number.

Response to Arguments

Applicant's arguments with respect to claims 1-53 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to R. Mendoza whose telephone number is (571) 272-4439. The

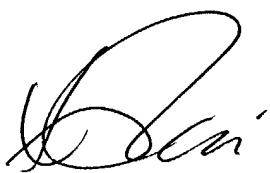examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Xuan Thai, can be reached at (571)272-7147. The USPTO official fax number is

(703) 872-9306.

RM
November 21, 2004

XUAN M. THAI
PRIMARY EXAMINER

AU3713